

**AGENDA FOR TUESDAY, OCTOBER 4, 2011**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Vice-Chairman Benson).
- III. Minute Approval.
- IV. Special Presentation.

**SPECIAL PRESENTATION: LAKESIDE YOUTH ASSOCIATION**

**By Councilman Russell Gilbert**

- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article I, by adding a new Section 24-49 relative to use of hand-held mobile telephone or personal digital assistant prohibited while driving. **(Deferred from 9/13/2011.)**
  - b) 2011-093 Spike 201, LLC/Don Johnson (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 111 Cross Street, more particularly described herein, from R-2 Residential Zone to O-1 Office Zone, subject to certain conditions. **(Revised Public Works Version.) (District No. 1.)**
  - c) MR-2011-108 City of Chattanooga/Engineering/Bill Payne (Closure). An ordinance closing a portion of a right-of-way near the 1300 block of Hixson Pike, more particularly described herein, subject to certain conditions. **(District No. 2.)**
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528 and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas. **(Deferred from 1/18/2011.)**
- VII. Resolutions:
  - a) A resolution authorizing the deferral of loan repayments by Chattanooga Housing Authority on behalf of Dogwood Manor due to cash flow shortage and further providing that any excess cash flow resulting from this suspension of loan payments be set aside as capital reserves until such time as the property is disposed of or operations consistently provide sufficient cash flow whichever occurs first, **provided this deferral shall not exceed six (6) months without further approval by the City Council. (Revised.)**

## Agenda for Tuesday, October 4, 2011

### Page 2 of 5

- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to establish a sales agreement and the purchase of a sculpture from Chattanooga Artist John Petrey entitled, "Blue Boy Pull Toy #1" in the amount of \$32,500.00 from existing capital funds.
- c) 2011-112 Meo Mio's Cajun Restaurant c/o Brian Sabo (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for use of a nightclub located at 4119 Cummings Highway, as more particularly described in the attached report and maps, subject to certain conditions and recommendation.

#### VIII. Overtime Report.

#### IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks and Recreation.
- c) Department of Public Works.
- d) Department of Neighborhood Services.
- e) Department of Education, Arts & Culture.
- f) Fire Department.
- g) Police Department.
- h) Department of Personnel.
- i) Department of Finance and Administration
- j) City Attorney.

#### X. Other Business.

#### XI. Committee Reports.

#### XII. Agenda Session on October 11, 2011.

#### XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

#### XIV. Adjournment.

**AGENDA FOR TUESDAY, OCTOBER 11, 2011**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Gilbert).
3. Minute Approval.
4. Special Presentation.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528 and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas.
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-208(5) of the UGC Urban General Commercial Zone referencing unit density per acre.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2 Definitions; Article V, Section 38-301 M-1 Manufacturing Zone; Section 38-321 Light Industrial Zone; Section 38-528 M-2 Light Industrial Zone; and Article VI, Division 2 other Special Exceptions to establish a Special Exceptions Permit for ethanol transfer facility.
  - c) 2010-081 MAP Engineers, LLC/Arthur Yother/Charles Clark (R-2 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1106 and 1112 O’Henry Drive, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Planning Version, District No. 3.)**  
  
2010-081 MAP Engineers, LLC/Arthur Yother/Charles Clark (R-2 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1106 and 1112 O’Henry Drive, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**

**Agenda for Tuesday, October 4, 2011**

**Page 4 of 5**

- d) 2011-102 Randy Chapman (R-1 Residential Zone to R-2 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 224 South Moss Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Applicant Version, District No. 1.) (Planning recommends denial.)**
  
- e) 2011-104 The Palms on Concord, LLC (R-2 Residential Zone to R-3 Residential Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1515 North Concord Road, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Planning Version, District No. 4.) (Staff recommends denial.)**

2011-104 The Palms on Concord, LLC (R-2 Residential Zone to R-3 Residential Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1515 North Concord Road, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone. **(Applicant Version.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if approved, accept a grant from the Lyndhurst Foundation in the amount of \$430,000.00, and to execute a Partnership Agreement for the development of the Main Terraine Park, Project No. R-11-001-801, to be located between Main Street and 13<sup>th</sup> Street. **(District No. 8.)**
  
- b) A resolution authorizing the waiver of landfill disposal fees associated with the Annual Tennessee River Rescue Cleanup in an amount not to exceed \$1,500.00.
  
- c) A resolution authorizing the execution of Change Order No. 1 to Resolution No. 26641 for Jones and Jones Architects for additional services, for an increased amount of \$19,800.00, for a revised contract amount not to exceed \$188,300.00.
  
- d) 2007-166 R and S Development (Special Exceptions Permit). A resolution to extend the Special Exceptions Permit for a Planned Unit Development (formerly known as The Covenant) now referred to as Perry North Planned Unit Development, and referenced in City Council Resolution No. 26069, on tracts of land located in the 1000 block of Dallas Road. **(District No. 1.)**
  
- e) 2011-105 MAP Engineers/Michael A. Price (Special Exceptions Permit.) A resolution authorizing a Preliminary Planned Unit Development, known as Creek Plantation Condominiums, on tracts of land located at 110 through 286 Templeton Lane, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 3.)**

**Agenda for Tuesday, October 4, 2011**

**Page 5 of 5**

- f) 2011-106 MAP Engineers/Michael A. Price (Special Exceptions Permit). A resolution approving a Special Exceptions Permit to abandon a Planned Unit Development on property located at 1515 North Concord Road. **(District No. 4.) (Planning recommends approval and Staff recommends denial.)**
  
- 8. Overtime Report.
  
- 9. Departmental Reports:
  - a) Department of Human Services.
  - b) Department of Parks and Recreation.
  - c) Department of Public Works.
  - d) Department of Neighborhood Services.
  - e) Department of Education, Arts & Culture.
  - f) Fire Department.
  - g) Police Department.
  - h) Department of Personnel.
  - i) Department of Finance and Administration
  - j) City Attorney.
  
- 10. Other Business.
  
- 11. Committee Reports.
  
- 12. Agenda Session on October 18, 2011.
  
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  
- 14. Adjournment.